Canadian Forces Grievance Board

For the period 2007-2008 to 2009-2010

Report on Plans and Priorities

The Honourable Gordon J. O'Connor, PC, M.P.
Minister of National Defence

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SECTION I – OVERVIEW

Chairperson's Message

As Chairperson for the Canadian Forces Grievance Board, I hereby present the Report on Plans and Priorities for the Canadian Forces Grievance Board, for the period 2007-08 to 2009-10. The Board is an independent, quasi-judicial body, accountable to Parliament through the Minister of National Defence for administrative purposes.

Over the last year, the Board welcomed new Board Members and senior staff, and made solid progress in reducing its inventory of grievance files. I am also pleased to report that of the 2006 files received and completed by the Board this year, more than 80% were dealt with in less than six months.

The Board has set ambitious goals for itself over the next few years, building on the priority of operational performance, which remains the cornerstone of its raison d'être, and external communications. Furthermore, in last year's RPP, I mentioned that the Board would conduct an assessment on the strengths and weaknesses of the Canadian Forces grievance system as a whole and look at ways to improve its efficiency and transparency. This year, we have made it our third priority: *to contribute to improving the CF grievance system through increased efficiency.*

In terms of increased efficiency, proposed changes to the process are the result of our cooperation with the Director General, Canadian Forces Grievance Authority (DGCFGA) and other NDHQ staff, following an intense examination of the grievance process at the Final Authority (Chief of the Defence Staff) level. The review yielded concrete results in the form of identification of weaknesses and mutually agreed approaches in addressing them.

In support of the proposed approaches, we have devised and implemented a joint Pilot Project, the aim of which is to eliminate a duplication of effort, and significantly reduce the time taken by the DGCFGA and the Board to analyze grievances and present recommendations to the Chief of the Defence Staff (CDS). We expect to conduct an assessment and report on the results of this Project by June 2007. If the Pilot Project validates our approach, we will present a formal proposal for changes to the process.

The overall grievance system would also be improved by a broadening of the Board's mandate. Current regulation stipulates that the Board only review approximately 40% of the files received at the CDS level. Should the pilot project be successful, we are hopeful that our mandate can be expanded to include the other 60% of grievances. It is our fervent belief that all CF members, regardless of the type of grievance being filed, should have access to an outside, independent Board which would conduct a review and make recommendations on their grievance.

As the Board considers this third priority, it must also evaluate the impact it will have on its corporate infrastructure; the planning of resources is fundamental.

In addition, we must ensure that the continuity and renewal of our specialized workforce are in keeping with changes flowing from the *Public Service Modernization Act*. We must also continue to improve our management practices using the Government's own blueprint for sound management, the Management Accountability Framework.

Six years after its inception, the Board has proven its value-added and raison d'être. Today, armed with an experience and maturity acquired through the years, we know how much more it can do for the Canadian Forces and its members.

Diane Laurin
Chairperson

Management Representation Statement

I submit for tabling in Parliament, the 2007-08 Report on Plans and Priorities (RPP) for the Canadian Forces Grievance Board.

This document has been prepared based on the reporting principles contained in the *Guide for the preparation of Part III of the 2007-2008 Estimates: Reports on Plans and Priorities and Departmental Performance Reports:*

- It adheres to the specific reporting requirements outlined in the Treasury Board Secretariat guidance;
- It is based on the department's Strategic Outcome and Program Activity Architecture that were approved by the Treasury Board;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the Treasury Board Secretariat in the RPP.

Name: Diane Laurin
Title: Chairperson

Summary Information

The Board's Raison d'être

Mission

To review grievances, in order to render fair and impartial findings and recommendations in a timely and informal manner to the Chief of the Defence Staff (CDS) and the grievor.

A Unique Role

The Board is a civilian administrative tribunal with quasi-judicial powers established under the terms of the *National Defence Act.* In its role as an administrative tribunal, it conducts objective, transparent and independent reviews of grievances, with due respect to fairness and equity for each member of the Canadian Forces (CF), regardless of rank or position. It ensures that the rights of military personnel are considered fairly throughout the process. Ultimately, it is part of the Board's long-term objective to contribute to the morale of CF members, and to instil confidence in the effectiveness and fairness of the improved grievance system.

To fully examine all information that could be relevant to a grievance and, if necessary, the Board can conduct hearings, summon civilian or military witnesses, and compel them to give oral or written evidence.

The Board reports its findings and recommendations to both the CDS, who is the final authority in the decision, and the grievor. Its recommendations may deal not only with the grievance itself, but with potential systemic changes that could alleviate a problem or issue Forces-wide.

Financial Resources (in '000$)

2007-08	2008-09	2009-10
$6,429	$6,429	$6,429

Human Resources *

2007-08	2008-09	2009-10
46	46	46

* Includes Board Members appointed by Governor in Council.

Departmental Priorities

Name	Type
Priority #1 Operational performance	Ongoing
Priority #2 External Communications	Ongoing
Priority #3 Contribution to improving the Canadian Forces Grievance System.	New

Program Activities by Strategic Outcome

	Expected Results	Planned Spending 2007-08	2008-09	2009-10	Contribution to the following priority
Strategic Outcome	The recommendations of the Canadian Forces Grievance Board are implemented in the Canadian Forces and lead to improvements in the conditions of work.				
Program Activity: Review of Canadian Forces grievances referred by the Chief of the Defence Staff	▪ A steady state of operations in which grievance reviews are completed on average within six months of receipt. ▪ Consistent high quality of analysis, findings and recommendations. ▪ Stakeholders recognize the value-added of the Board's findings and recommendations. ▪ A grievance review process that eliminates any duplication of effort as between the Board and the Director General Canadian Forces Grievance Authority (DGCFGA). ▪ An efficient grievance review process. ▪ All grievances from members of the Canadian Forces benefit from a review by an independent Board.	3,348	3,348	3,348	Priorities #1, #2 and #3.
Program Activity: Internal Services (Corporate and Administrative Services)	▪ Sound internal management practices in accordance with the Management Accountability Framework (MAF) and reflected in the Board's Management, Resources and Results Structure (MRRS) and Performance Measurement Framework.	3,081	3,081	3,081	Priorities #1, #2 and #3.

Departmental Plans and Priorities

Priority #1 Operational performance

The Board will strive to maintain the quality of its findings and recommendations and the efficiency of its operations.

The Board will continue to assess its recruitment approaches and strategies through the development of its Human Resources Plan with emphasis on succession planning. The Board will also maintain a strong focus on learning, for both new and existing staff.

These mean a continuing strong focus on the following aspects of the Board's business:

Plans

- Strengthening performance through monitoring the Performance Measurement Strategy;
- Maintaining a steady-state of operations by seeing that its timeline standards are met while ensuring reasonable cost per grievance;
- Maintaining highest level of expertise appropriate to each case;
- Employing rigorous quality control mechanisms;
- Ensuring ongoing process improvements and updates to rules of procedures;
- Reinforcing sound internal management;
- Ensuring careful stewardship of human and financial resources;
- Providing training and developmental opportunities for employees; and
- Knowledge sharing with stakeholders/partners involved in the military grievance system.

Risks

- Loss of credibility and relevance vis-à-vis members and leadership of the Canadian Forces;
- Lack of recognition of the value-added of the Board's work.

Priority 2 External communications

External communications continues to be a priority for the Board. It is a required activity that helps the Board to inform its key stakeholders about its role within the CF grievance process, its work and the progress it has made since its inception in 2000.

The Board will continue to focus on activities that have proven to be effective outreach mechanisms, such as tours of military bases, presentations to key stakeholder groups, brochure mail-outs, and articles featured in military newsletters, to name a few.

The Board's work is further promoted via its website, where case summaries are posted on a regular basis. This particular forum and other electronic tools will serve at the forefront of its external outreach strategy. For example, the Board has developed an electronic newsletter that was launched in January 2007. The idea behind this initiative will be to keep CF members abreast of the most recent and interesting grievance issues, what the Board's findings and recommendations are in these cases, and what the final CDS decision was. The newsletter will also be a useful in bringing subscribers to the Board's website, where they can read up on more case summaries and other related information about the organization and its mandate.

Plans

- Reaching out to our clients and stakeholders;
- Learning from and sharing information through exchanges with our clients, stakeholders and target audiences;
- Positioning the Board at senior level forums;
- Disseminating information on the impact of the Board's work.

Risks

- Failure to meet expectations and loss of credibility;
- Failure to demonstrate the value-added of the Board's work.

Priority 3 Improving the Canadian Forces Grievance System

The CF has established an elaborate set of mechanisms, both formal and informal, to deal with complaints from members.[1] The most formal of these, as defined in the *National Defence Act*, is the grievance system. Formal grievances are dealt with in a two-level process. All grievances that are not resolved to the satisfaction of the grievor by the appropriate Initial Authority can be submitted directly to the Chief of the Defence Staff (CDS) as the Final Authority (FA) in the process.

In keeping with the CDS' direction to eliminate duplication in the CF grievance process, the Director General, Canadian Forces Grievance Authority and the Board undertook a joint review of their processes at the FA level so that the current system could be made more efficient.

Currently, the DGCFGA plays a role in the findings and recommendations (F&R) forwarded from the Board to the CDS. The DGCFGA staff reviews the Board's F&R and conducts their own file review before preparing a decision letter for the CDS. The upshot of this is that a grievance file is analyzed twice – once by the Board and once by the DGCFGA.

The Board and DGCFGA have agreed to attempt to eliminate or reduce this duplication of effort and a pilot project has been put in place which eliminates most of the analytical effort at the DGCFGA. The expectation is that the overall time for the resolution of a grievance may be reduced significantly in order to have one in-depth analysis of grievance files done by the Board.

The overall grievance system would also be improved by a broadening of the Board's mandate. Currently the Board sees only 40% of the grievances at the Final Authority level. Ergo, 60% of grievors do not have the opportunity to have their complaint reviewed by an independent Board. Not only would confidence in the overall system be increased if the Board's mandate were expanded but there would be a consistent approach to all grievances.

Plans

- Monitor the ongoing Pilot Project and in June 2007 assess it to determine whether these files have been processed more quickly.
- Make appropriate recommendations to the CDS.
- Types of files not ordinarily referred to the Board will be referred during the Pilot Project to determine the Board's capacity/expertise to deal with these types of files. Again, the results of this aspect of the Pilot Project will be reviewed in June 2007.

Risks

- Failure to meet expectations of a more timely and efficient system.
- Inability to demonstrate value added of the Board's work.

[1] In addition to the formal grievance system, the CF and the Department of National Defence (DND) have established a Conflict Management Program (CMP) that provides mediation, facilitation and other alternative dispute resolution (ADR) services to CF members and DND civilian personnel across the country. The Ombudsman for the Department of National Defence and the Canadian Forces is also mandated to investigate complaints about any matter pertaining to administration of the CF or DND.

Major Factors Influencing the Board

The external factors are as follows:

At the operational level

- The appointments of Board Members, whether they be full or part-time by the Governor in Council.
- The unknown number of grievances that could be filed by members of the military in any given year.
- Delays at any point in the CF grievance process.
- The existence of the different players at Department of National Defence/Canadian Forces (DND/CF) overseeing the same or similar grievance matters on behalf of the military, such as the Director General, Canadian Forces Grievance Authority (DGCFGA), the Conflict Management Program (CMP) and the Office of the Ombudsman. As a result, grievors may not know where to go for the proper redress. Alternatively, other organizations can also present alternative forums for the grievor and may result in less grievances coming to the Board.
- Amendments to the *National Defence Act.*
- A judicial review by the Federal Court on a grievance or grievances that had been reviewed by the Board.

At the corporate level

- Any new central agency initiatives. As in the case of many small organizations, while delivering against its mandate the Board must also comply with various central agency initiatives and reporting requirements; these take up valuable time and consume scarce resources.

The internal factors are:

- Workforce profile, including skills and competencies
- Departures (including retirements)
- Organization structure in view of possible expanded mandate
- Employee engagement/morale
- Employment Equity – designated group representation
- Workplace well-being

Clients / Stakeholders / Partners

- The CDS, who makes a final decision on a grievance on the basis of the findings and recommendations submitted by the Board;
- The grievor, who is the ultimate beneficiary of the decision rendered by the CDS;
- The Vice-Chief of the Defence Staff (VCDS) who has the functional responsibility of the grievance system;
- Members of the CF;
- Parliament (to whom the CFGB reports on an annual basis);
- Other organizations involved in similar matters, such as the Director General, Canadian Forces Grievance Administration, the Office of the Ombudsman, the Judge Advocate General and the office dealing with conflict management in DND;
- Former military members; veterans associations and families of both former and current members of the military;
- Department of Justice;
- Other quasi-judicial organizations;
- Central agencies in government; and
- Specialized media and military opinion leaders.

Link to the Government of Canada Outcome areas

Alignment of program activity and strategic outcomes to Government of Canada outcomes: Federal Organizations that support all Government of Canada outcomes.

Strategic Outcome	Program Activity	Link to Government of Canada Outcome area
The recommendations of the Canadian Forces Grievance Board are implemented in the Canadian Forces and lead to improvements in the conditions of work.	Review of Canadian Forces grievances referred by the Chief of the Defence Staff	Government Affairs
	Internal Services (Corporate and Administrative Services)	

SECTION II – ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

Analysis by Program Activity

Strategic Outcome:

The recommendations of the Canadian Forces Grievances Board are implemented in the Canadian Forces and lead to improvements in the conditions of work.

Program Activity: Review of Canadian Forces grievances referred by the Chief of the Defence Staff.

Financial Resources:

(in '000$)

2007-08	2008-09	2009-10
$3,348	$3,348	$3,348

Human Resources:

2007-08	2008-09	2009-10
28	28	28

Program Activity: Internal Services (Corporate and Administrative Services)

Financial Resources:

(in '000$)

2007-08	2008-09	2009-10
$3,081	$3,081	$3,081

Human Resources:

2007-08	2008-09	2009-10
18	18	18

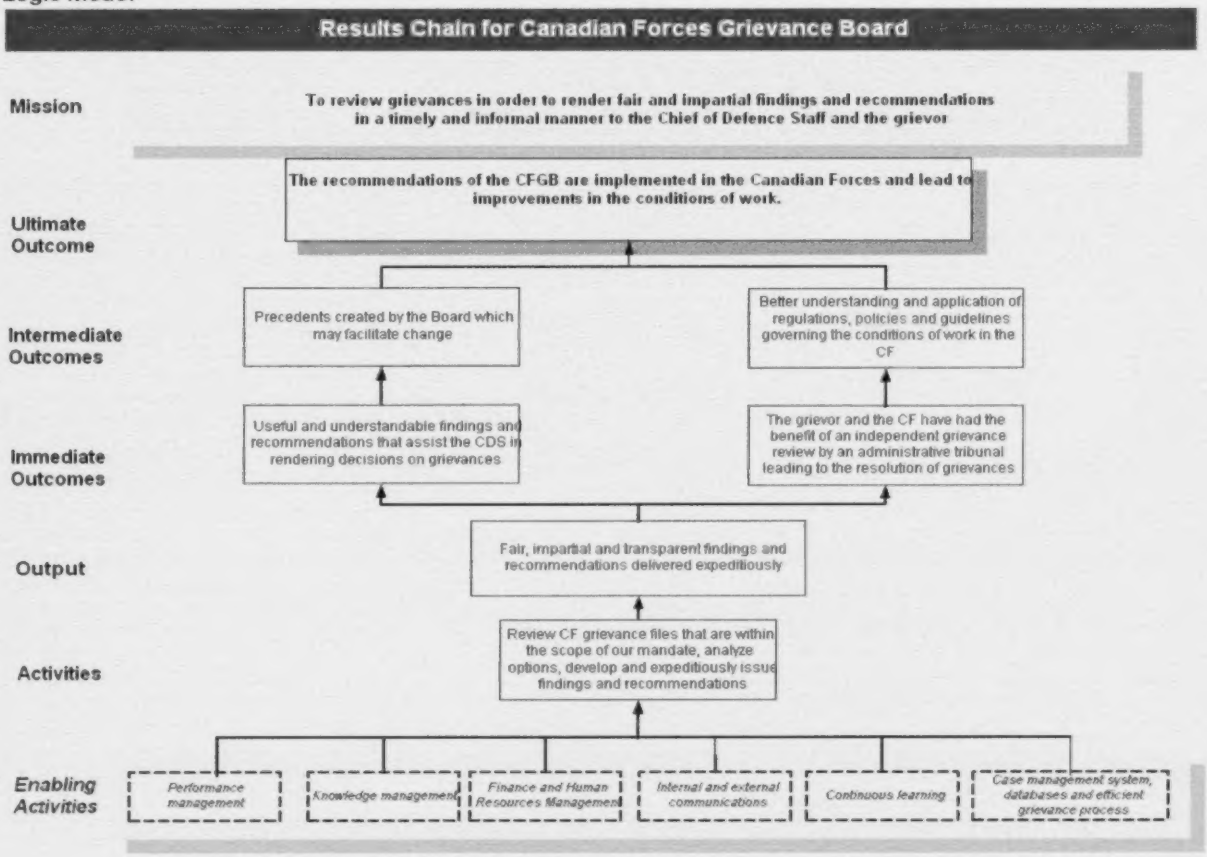
The Board conducts objective and transparent reviews of grievances with due respect to fairness and equity for each member of the CF, regardless of rank or position. It ensures that the rights of military personnel are considered fairly throughout the process and that its Board Members act in the best interest of the parties concerned. The findings and recommendations it issues are not only based in law but form precedents that may facilitate change within the CF. Administrative tribunals, such as the Board, provide a mechanism outside the courts for the expeditious resolution of complex and particular matters. Acting independently of the government, tribunals have the power to make decisions through enabling statutes of Parliament. Such powers permit the tribunal to determine the existence and scope of rights and obligations in a particular field of expertise. These powers are to be exercised in accordance with the public interest and the specific circumstances prevailing in the tribunal's area of activity.

As an administrative tribunal designed to review grievances, the Board must ensure that its recommendations comply with the law and can be implemented in accordance with its enabling legislation, relevant human rights legislation and the Canadian Charter of Rights and Freedoms. Canadian courts have also rendered several decisions on a wide range of subjects and Board Members must keep abreast of these, as well as the current *Queen's Regulations and Orders for the Canadian Forces* (QR&O), the Canadian Forces Administrative Orders (CFAO) and Treasury Board policies, all of which are used in the course of analyzing grievances and developing findings and recommendations.

Expected Results

The Board's Results Chain or Logic Model demonstrates how each of the items contributes to the fulfillment of the Board's mission and the achievement of its ultimate or strategic outcome.

Logic Model


Results Chain for Canadian Forces Grievance Board
Mission
To review grievances in order to render fair and impartial findings and recommendations in a timely and informal manner to the Chief of Defence Staff and the grievor
Ultimate Outcome
The recommendations of the CFGB are implemented in the Canadian Forces and lead to improvements in the conditions of work.
Intermediate Outcomes
Precedents created by the Board which may facilitate change
Better understanding and application of regulations, policies and guidelines governing the conditions of work in the CF
Immediate Outcomes
Useful and understandable findings and recommendations that assist the CDS in rendering decisions on grievances
The grievor and the CF have had the benefit of an independent grievance review by an administrative tribunal leading to the resolution of grievances
Output
Fair, impartial and transparent findings and recommendations delivered expeditiously
Activities
Review CF grievance files that are within the scope of our mandate, analyze options, develop and expeditiously issue findings and recommendations
Enabling Activities
Performance management
Knowledge management
Finance and Human Resources Management
Internal and external communications
Continuous learning
Case management system, databases and efficient grievance process

Performance Measurement Strategy

Planned outcomes and results	Performance Indicators
Outputs : These are the outputs produced and the benefits to the CDS, who makes a decision on the basis of the recommendations submitted by the Board, and the grievor, who is the ultimate beneficiary of the decision rendered by the CDS.	
Fair, impartial and transparent findings and recommendations delivered expeditiously.	1) CFGB's grievance operations abide by established quality standards. 2) Grievors perceive that there was impartiality and transparency and that Findings and Recommendations (F&R) are clear and understandable. 3) CFGB's grievance process timeline standards are being met.
Immediate Outcome: These are the short-term results of the Board's activities and its output.	
Useful and understandable findings and recommendations that assist the CDS in rendering decisions on grievances.	1) CDS decisions are in support of the CFGB's recommendations. 2) CDS finds the Board's findings and recommendations (F&R) useful and understandable. 3) Federal Court Judicial Reviews uphold CFGB's findings and recommendations.
The grievor and the CF have had the benefit of a grievance review by an independent quasi-judicial tribunal leading to the resolution of grievances.	
Intermediate Outcomes: These are the longer term results, i.e., about 5 years, that flow from its activities, outputs and immediate outcomes, and which will demonstrate progress towards achieving CFGB's ultimate result.	
Precedents created by the Board, which may facilitate change.	CDS decisions to address systemic issues raised by the CFGB that merit further study for possible policy or regulatory change.
Better understanding and application of regulations, policies and guidelines governing the conditions of work within the CF.	Reduction of grievances of the same nature.
Ultimate Outcome: This is the long-term result that logically flows from the work conducted by the Board, and it is expected that it will take about 10 years before seeing substantial evidence of this result. It is to be noted that the achievement of this ultimate result may be subject to influences beyond CFGB's work.	
The recommendations of the CFGB are implemented in the Canadian Forces and lead to improvements in the conditions of work.	CFGB's recommendations for changes to regulations, policies or procedures have been implemented by the Canadian Forces.

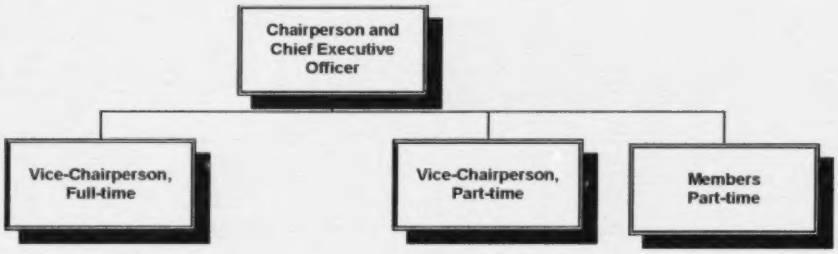
Enabling Activities: Internal Services (Corporate and Administrative Services) function includes a wide range of activities that support the Board's outcomes. Internal Services (Corporate and Administrative Services) works for continuous improvement in the provision of timely and quality corporate administrative services, and in the promotion of sound management.

- ***Performance and Knowledge Management***
  - Ensure an integrated planning and reporting process in keeping with the Board's Results-based Management and Accountability Framework (RMAF) and its Program Activity Architecture (PAA).
  - Lead implementation of the Board's Management Accountability Framework (MAF).
  - Review the Board's activities to align resources with priorities as stated in the Government of Canada's Speech from the Throne and Budget documents.
  - Provide information as an aid to decision-making and strategic management and, ultimately, to facilitate program improvement and organizational learning.
- ***Finance and Human Resources Management***
  - Ensure the stewardship of public funds, Expenditure Management, and Financial Management and Control.
  - Integrate a human resources plan within the Board's business planning and in keeping with the Board's Staffing Management Accountability Framework (SMAF).
- **Internal and External *Communications***
  - Support open and collaborative internal communications with the support of the management team.
  - Integrate short and long-term communications into the Board's management framework by providing accurate, complete, objective, timely, relevant and understandable information to CFGB stakeholders about its programs and services.
  - Ensure that the Board is visible, accessible and answerable to the clients that it serves.
- ***Continuous Learning***
  - Develop learning plans that are in line with the Policy on Learning, Training and Development.
- ***Case Management system, databases and efficient grievance process***
  - Ensure the availability of operational information through the use of Web technology. This includes documents and correspondence associated with cases in order to analyse and improve the efficiency and cost-effectiveness of the Board with regards to its case management activities and related precedents.

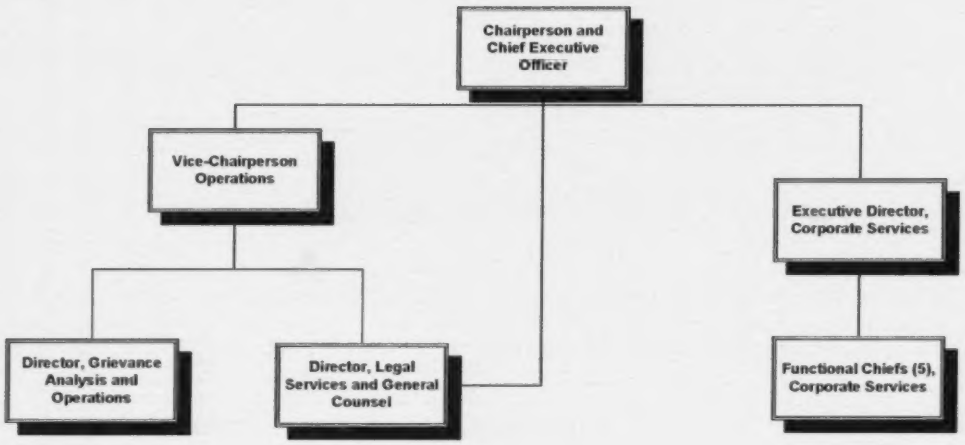
SECTION III – SUPPLEMENTARY INFORMATION

Organizational Information

Board Members



The Management Team


Chairperson and Chief Executive Officer
Vice-Chairperson Operations
Executive Director, Corporate Services
Director, Grievance Analysis and Operations
Director, Legal Services and General Counsel
Functional Chiefs (5), Corporate Services

- The Chairperson and Chief Executive Officer is ultimately accountable for the work carried out by the Board.
- The Chairperson, the Vice-Chairperson and other Board Members are primarily supported in their work by the Director, Grievance Analysis and Operations.
- Grievance officers review individual grievances and seek legal input and advice when conducting their research.
- In addition to providing legal advice to grievance officers and Members of the Board, legal counsel led by the Director, Legal Services and General Counsel, also provide legal opinions to the Chairperson and the Vice-Chairperson on a wide range of issues.
- The Executive Director is responsible for providing Internal Services (Corporate and Administrative Services) to support the operations, including strategic business planning and performance reporting, in addition to communications, finance, administration, information technology and human resources services.

Departmental links to the Government of Canada Outcome areas

($ thousands)	2007-08			
	Budgetary **Operating**	**Total Main Estimates**	**Adjustments (planned spending not in Main Estimates)**	**Total Planned Spending**
Strategic Outcome: The recommendations of the Canadian Force Grievance Board are implemented in the Canadian Forces and lead to improvements in the conditions of work.				
Program Activity: Review of Canadian Forces grievances referred by the Chief of the Defence Staff.	3,348	3,348		**3,348**
Program Activity: Internal Services (Corporate and Administrative Services)	3,081	3,081		**3,081**
Total	**6,429**	**6,429**	**0**	**6,429**

Alignment of program activity and strategic outcomes to Government of Canada outcomes: Federal Organizations that support all Government of Canada outcomes – Governmental Affairs.

Table 1: Departmental Planned Spending and Full Time Equivalents

($ thousands)	Forecast Spending 2006-07	**Planned Spending 2007-08**	Planned Spending 2008-09	Planned Spending 2009-10
Review Canadian Forces Grievances referred by the Chief of the Defence Staff.	3,344	**3,348**	3,348	3,348
Internal Services (Corporate and Administrative Services)	3,063	**3,081**	3,081	3,081
Budgetary Main Estimates (gross)	6,407	**6,429**	6,429	6,429
Total Main Estimates	6,407	**6,429**	6,429	6,429
Adjustments:				
Supplementary Estimates				
Collective Bargaining	30			
Total Adjustments	30	**0**	0	0
Total Planned Spending	6,437	**6,429**	6,429	6,429
Total Planned Spending	6,437	**6,429**	6,429	6,429
Plus: Cost of services received without charge	259	**259**	259	259
Total Departmental Spending	6,696	**6,688**	6,688	6,688
Full Time Equivalents	46.0	**46.0**	46.0	46.0

Table 2: Voted and Statutory Items listed in Main Estimates

($ thousands) 2007-08			
Vote or Statutory Item	Canadian Forces Grievance Board	**Current Main Estimates**	Previous Main Estimates
15	Operating expenditures	**5,830**	5,798
(S)	Contributions to employee benefit plans	**599**	609
	Total for department	**6,429**	6,407

Table 3: Services Received Without Charge

($ thousands) 2007-08	
Contributions covering the employer's share of employees' insurance premiums and expenditures paid by the Treasury Board of Canada Secretariat (excluding revolving funds). Employer's contribution to employees' insured benefits plans and expenditures paid by TBS	**259**
Total 2007-2008 Services received without charge	**259**

Contacts for Further Information

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Annual and Board Reports

Visit the Board's Web site at http://www.cfgb-cgfc.gc.ca/ for more information about its work, case summaries, and other additional reports.